

NAAQS with projected emission inventories to the year 2007 for NO_x and VOC, a plan to verify continued attainment, a contingency plan, and a commitment to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. If a violation of the ozone NAAQS, determined not to be attributable to transport from upwind areas, is monitored, Michigan will implement one or more appropriate contingency measure(s) contained in the contingency plan. Once a violation of the ozone NAAQS is recorded, the State will notify EPA, review the data for quality assurance, and conduct a technical analysis, including an analysis of meteorological conditions leading up to and during the exceedances contributing to the violation, to determine local culpability. This preliminary analysis will be submitted to EPA and subjected to public review and comment. The State will solicit and consider EPA's technical advice and analysis before making a final determination on the cause of the violation. The Governor or his designee will select the contingency measure(s) to be implemented within 6 months of a monitored violation attributable to ozone and ozone precursors from the Grand Rapids area. The menu of contingency measures includes a motor vehicle inspection and maintenance program, Stage II vapor recovery, RVP reduction to 7.8 psi, RACT on major non-CTG VOC sources in the categories of coating of plastics, coating of wood furniture, and industrial cleaning solvents. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Michigan Ozone State Implementation Plan for the above mentioned counties.

(p) Approval—On November 22, 1995 the Michigan Department of Natural Resources submitted a petition for exemption from transportation conformity requirements for the Muskegon ozone nonattainment area. This approval exempts the Muskegon ozone nonattainment area from transportation conformity requirements under

section 182(b)(1) of the Clean Air Act. If a violation of the ozone standard occurs in the Muskegon County ozone nonattainment area, the exemption shall no longer apply.

(q) Correction of approved plan—Michigan air quality Administrative Rule, R336.1901 (Rule 901)—Air Contaminant or Water Vapor, has been removed from the approved plan pursuant to section 110(k)(6) of the Clean Air Act (as amended in 1990).

[45 FR 58528, Sept. 4, 1980, as amended at 50 FR 5250, Feb. 7, 1985; 59 FR 10753, Mar. 8, 1994; 59 FR 37947, July 26, 1994; 59 FR 40828, Aug. 10, 1994; 59 FR 46190, Sept. 7, 1994; 60 FR 12451, Mar. 7, 1995; 60 FR 12477, Mar. 7, 1995; 60 FR 20649, Apr. 27, 1995; 60 FR 28731, June 2, 1995; 60 FR 37013, July 19, 1995; 60 FR 37370, July 20, 1995; 61 FR 2438, Jan. 26, 1996; 61 FR 31849, June 21, 1996; 61 FR 39332, July 29, 1996; 61 FR 66609, 66611, Dec. 18, 1996; 62 FR 50514, Sept. 26, 1997; 63 FR 27494, May 19, 1998]

EFFECTIVE DATE NOTE: At 63 FR 27494, May 19, 1998, § 52.1174 was amended by adding paragraph (q), effective July 20, 1998.

§ 52.1175 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter as of May 31, 1972, (36 FR 22398) are not met since Rule 336.49 of the Michigan Air Pollution Control Commission provides for individual compliance schedules to be submitted to the State Agency by January 1, 1974. This would not be in time for submittal to the Environmental Protection Agency with the first semiannual report.

(b) [Reserved]

(c) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(d) *Federal compliance schedules.* (1) Except as provided in paragraph (d)(3) of this section, the owner or operator of any stationary source subject to the following emission-limiting regulations in the Michigan implementation plan shall comply with the applicable compliance schedule in paragraph (d)(2) of this section: Air Pollution Control Commission, Department of Public Health, Michigan Rule 336.49.

(2) *Compliance schedules.* (i) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49

and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR (as defined in part 81 of this title) shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitations effective July 1, 1975, in Table 3 or Table 4 of Rule 336.49.

(ii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(a) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Table 3 of Rule 336.49 on July 1, 1975, and for at least one year thereafter.

(b) December 31, 1973—Sign contracts with fuel suppliers for projected fuel requirements.

(c) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(d) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(e) June 15, 1974—Initiate onsite modifications, if applicable.

(f) March 31, 1975—Complete onsite modifications, if applicable.

(g) July 1, 1975—Achieve final compliance with the applicable July 1, 1975, sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(iii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize stack gas desulfurization shall take the following actions with respect to the source no later than the dates specified.

(a) November 1, 1973—Let necessary contracts for construction.

(b) March 1, 1974—Initiate onsite construction.

(c) March 31, 1975—Complete onsite construction.

(d) July 1, 1975—Achieve final compliance with the applicable July 1, 1975,

emission limitation listed in Table 4 of Rule 336.49.

(e) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(iv) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49 and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR shall notify the Administrator, no later than January 31, 1974, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitation effective July 1, 1978, in Table 3 or Table 4 of Rule 336.49.

(v) Any owner or operator of a stationary source subject to paragraph (d)(2)(iv) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(a) October 15, 1976—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Table 3 of Rule 336.49 on July 1, 1978, and for at least one year thereafter.

(b) December 31, 1976—Sign contracts with fuel suppliers for projected fuel requirements.

(c) January 31, 1977—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(d) March 15, 1977—Let contracts for necessary boiler modifications, if applicable.

(e) June 15, 1977—Initiate onsite modifications, if applicable.

(f) March 31, 1978—Complete onsite modifications, if applicable.

(g) July 1, 1978—Achieve final compliance with the applicable July 1, 1978, sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(vi) Any owner or operator of a stationary source subject to paragraph

(d)(2)(iv) of this section who elects to utilize stack gas desulfurization shall take the following actions with regard to the source no later than the dates specified.

(a) November 1, 1976—Let necessary contracts for construction.

(b) March 1, 1977—Initiate onsite construction.

(c) March 31, 1978—Complete onsite construction.

(d) July 1, 1978—Achieve final compliance with the applicable July 1, 1978, mission limitation listed in Table 4 of Rule 336.49.

(e) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1978. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3)(i) Paragraphs (d) (1) and (2) of this section shall not apply to a source which is presently in compliance with Table 3 or Table 4 of Rule 336.49 and which has certified such compliance to the Administrator by October 1, 1973.

The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (d)(2) of this section fails to satisfy the requirements of §§51.261 and 51.262(a) of this chapter.

(e) The compliance schedules for the sources identified below are approved as meeting the requirements of §51.104 and subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MICHIGAN

[See footnotes at end of table]

| Source | Location | Regulations involved | Date schedule adopted | Final compliance date |
|---|---------------------|--------------------------|-----------------------|-----------------------|
| BERRIEN COUNTY | | | | |
| Conoco, Inc. | Berrien | R336.1603, R336.1609. | Sept. 26, 1981 | Dec. 31, 1982. |
| CALHOUN COUNTY | | | | |
| Clark Oil and Refining Corp | Calhoun | R336.1603 R336.1609. | May 14, 1982 | Dec. 31, 1982. |
| CHARLEVOIX COUNTY | | | | |
| Northern Michigan Electric Cooperative Advance Steam Plant. | Boyer City | 336.1401 (336.49). | Jan. 10, 1980 | Jan. 1, 1985. |
| GENESEE COUNTY | | | | |
| Buick Motor Division | City of Flint | R336.1301 | May 5, 1980 ... | Dec. 31, 1982. |
| GM Warehousing Dist. Div. Boilers 1 and 2 | Genesee | R336.1331 | Dec. 31, 1981 | Oct. 15, 1983. |

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[See footnotes at end of table]

| Source | Location | Regulations involved | Date schedule adopted | Final compliance date |
|---|----------------|--|-----------------------|-----------------------|
| GM Warehousing Dist. Div. Boilers 3 and 4 |do | R336.1331 | Dec. 1, 1981 .. | Oct. 15, 1981. |
| MACOMB COUNTY | | | | |
| New Haven Foundry | Macomb County. | R336.1301, R336.1331, R336.1901. | Aug. 14, 1980 | June 30, 1985. |
| MIDLAND COUNTY | | | | |
| Dow Chemical | Midland | R336.1301 and R336.1331. | July 21, 1982 | Dec. 31, 1985. |
| MONROE COUNTY | | | | |
| Detroit Edison (Monroe plant) | Monroe | 336.49 | July 7, 1977 ... | Jan. 1, 1985. |
| Dundee Cement Company | Dundee | 336.41, 44 | Oct. 17, 1979 | Dec. 31, 1983. |
| | | (336.1301, 336.1331). | | |
| Union Camp | Monroe | 336.1401 | Jan. 3, 1980 ... | Jan. 1, 1985. |
| | | (336.49) | | |
| MUSKEGON COUNTY | | | | |
| Consumers Power Company (B. C. Cobb) | Muskegon | 336.1401 | Dec. 10, 1979 | Jan. 1, 1985. |
| | | (336.49) | | |
| S. D. Warren Co | Muskegon | 336.49 | Oct. 31, 1979 | Nov. 1, 1984. |
| | | (336.1401). | | |
| Marathon Oil |do | 336.1603 | July 31, 1981 | Dec. 31, 1982. |
| SAGINAW COUNTY | | | | |
| Grey Iron Casting and Nodular Iron Casting Plants | Saginaw | R336.1301 | Apr. 16, 1980 | Dec. 31, 1982. |
| WAYNE COUNTY | | | | |
| Boulevard Heating Plant | Wayne | R336.1331 | Apr. 28, 1981 | Dec. 31, 1982. |

Footnotes:

¹ For the attainment of the primary standard.² For the attainment of the secondary standard.³ For the maintenance of the secondary standard.

(f) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MICHIGAN

| Source | Location | Regulation involved | Date schedule adopted |
|--|------------------|---------------------|-----------------------|
| BAY COUNTY | | | |
| Consumer Power (Karn Plant) | Essexville | 336.44 | Sept. 18, 1973. |
| OTTAWA COUNTY | | | |
| Consumer Power Co. (Campbell Plant Units 1, 2) | West Olive | 336.44 | Sept. 18, 1973. |

[37 FR 10873, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1175, see the List of CFR Sections Affected in the Finding Aids section of this volume.